

Stanislaus County

Title 25 - Election Campaign Reform Chapter 25.01 - Election Campaign Reform

25.01.010 Purpose.

The purpose of this campaign reform ordinance is to add additional reporting requirements for campaign contributions to county officers exceeding the amount of twenty-five dollars. (Ord. CS 779 §1 (part), 2001).

25.01.020 Relating to political reform act of 1974.

This chapter is intended to supplement the Political Reform Act of 1974. Unless the term is specifically defined in this chapter or the contrary is stated or clearly appears from the context, words and phrases shall have the same meaning as when they are used in Title 9 of the California Government Code, in which the Political Reform Act of 1974 is codified, as the same may be, from time to time, amended. (Ord. CS 779 §1 (part), 2001).

25.01.030 Definitions.

A. “County candidate” means any person who is a candidate for supervisor, sheriff-coroner-public administrator, district attorney, assessor, treasurer-tax collector, county clerk-recorder, or auditor-controller.

B. “County election” means any primary, general or special election, including a recall election, held within this county for elective county office. Each primary, general or special election is a separate election for purposes of this chapter.

C. “County office” means the elective offices of members of the board of supervisors, assessor, auditor-controller, county clerk-recorder, sheriff-coroner-public administrator, district attorney, and treasurer-tax collector.

D. “Office holder” means any person who holds a county office for supervisor, sheriff-coroner-public administrator, district attorney, assessor, treasurer-tax collector, county clerk-recorder or auditor-controller. (Ord. CS 785 §1, 2002; Ord. CS 779 §1 (part), 2001).

25.01.040 Reporting requirements.

In addition to any statements of campaign contributions and expenditures required by state law to be filed with the county clerk-recorder’s office, each office holder, candidate, each committee supporting or opposing a candidate for county office, and each county general purpose committee which supports or opposes candidates for county office shall file an additional campaign statement in the election division of the county clerk-recorder’s office

covering the same time period for every date a statement is required by the Political Reform Act. The additional campaign statement(s) must be timely received by the filing officer. Receipt of semi-annual and first pre-election reports is accomplished by deposit in the United States mail. The second pre-election report must be hand delivered or by guaranteed overnight mail. The statement(s) shall include:

A. The total amount of all contributions received during the period covered by the campaign statement(s) that equaled twenty-five dollars or more.

B. The statement shall contain the same disclosures of expenditures required by Government Code Section 84211.

C. In the case of campaign statements filed by a committee, the statement shall contain the full name, and street address of any person or persons who direct or control the contributions or expenditures made by the committee.

D. Candidates and committees need not duplicate any reports of contributions, loans or expenditures required by state law but may certify that reports made pursuant to this chapter are in addition to those made pursuant to state law. (Ord. CS 785 §1, 2002; Ord. CS 779 §1 (part), 2001).

25.01.050 Administration and enforcement.

The county clerk-recorder shall be responsible for the administration and enforcement of the provisions of this chapter. (Ord. CS 779 §1 (part), 2001).

25.01.060 Administrative penalties.

The county clerk-recorder shall impose administrative penalties against any candidate for county office or his or her campaign committee, or such other campaign committee(s) covered by this chapter for any violation of the provisions of this chapter as follows:

A. For failure to file with the clerk-recorder a campaign statement discussing contributions received in excess of twenty-five dollars, as required by Section 25.01.040, a penalty of five hundred dollars per calendar day or any portion of a calendar day beyond the day and time set forth in Section 25.01.040 for filing a campaign statement.

B. All penalties assessed shall be paid by the candidate by his or her campaign committee, or other committee covered in this section, to the county clerk-recorder within fifteen days of the date that the written notice of the penalty is deposited in the United States mail.

C. The penalty need not be enforced by the county clerk-recorder if, on an impartial basis, he or she determines that the late filing was not willful and that enforcement will not further the purposes of the ordinance codified in this chapter. (Ord. CS 785 §1, 2002; Ord. CS 779 §1 (part), 2001).

25.01.070 Civil actions.

The county clerk-recorder shall seek civil action in the Stanislaus County superior court against any county officer, candidate or his or her campaign committee, or other committee covered by this chapter, for failure to pay any administrative penalty imposed pursuant to the provisions of Section 25.01.040 within forty-five days after the date that written notice of the penalty is deposited in the United States mail by the county clerk-recorder. (Ord. CS 779 §1 (part), 2001).

25.01.080 Disposition and penalties.

All penalties collected pursuant to the provisions of this chapter shall be deposited in the general fund of the county of Stanislaus. (Ord. CS 779 §1 (part), 2001).

25.01.090 Application of other laws.

Nothing in this chapter shall exempt any person from the applicable provisions of any other laws of this state. (Ord. CS 779 §1 (part), 2001).

25.01.100 Severability.

If any provision of this chapter, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this chapter to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this chapter are severable. (Ord. CS 779 §1 (part), 2001).

25.01.110 Interpretation of chapter.

This chapter should be liberally construed to accomplish its purpose. (Ord. CS 779 §1 (part), 2001).

25.01.120 Amendments and additional requirements.

Nothing in this chapter prevents Stanislaus County board of supervisors from amending the provisions of this chapter to impose additional requirements regarding campaign contributions or imposing additional requirements on any person if the requirements do not prevent the person from complying with this chapter. (Ord. CS 779 §1 (part), 2001).